

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ASSURANCE INDUSTRIES COMPANY,
INC., a California corporation,

Plaintiff,

vs.

SNAG, INC., a Florida corporation;
TERENCE ANTON, an individual and
resident of Oklahoma; WALTER E.
ARMSTRONG III, an individual and resident
of Florida; PLAYER DEVELOPMENT
PRODUCTS, LLC, a Florida limited liability
company; and DOES 1 through 100,

Defendants.

Case No: C 10-1718 SBA

**ORDER GRANTING PLAINTIFF'S
MOTION TO VACATE TRIAL
DATE AND REOPEN DISCOVERY**

Dkt. 96

Plaintiff has filed Motion to Vacate Trial Date and Reopen Discovery in which it seeks to continue the trial date by six months so that it can take the deposition of Mark Liu. Dkt. 96, 102. Though Defendants originally opposed Plaintiff's motion, they have since withdrawn their opposition. Dkt. 100, 103. Based on Defendants' non-opposition, and finding good cause to modify the Court's pretrial scheduling order, the Court grants Plaintiff's motion. However, the Court finds that a continuance of six months to complete a single deposition is excessive. The Court therefore limits the time period to complete the deposition as set forth below. Accordingly,

1 IT IS HEREBY ORDERED THAT:

2 1. Plaintiff's Motion to Vacate Trial Date and Reopen Discovery is GRANTED.

3 2. Discovery is reopened for the limited purpose of allowing the parties to
4 depose Mark Liu. The parties shall forthwith meet and confer regarding the timing and
5 location of Mr. Liu's deposition. If the parties are unable to reach an agreement, they shall
6 submit their dispute to the assigned discovery magistrate. The deposition and any court
7 proceedings related to the deposition shall be completed within ninety (90) days of the date
8 this Order is filed.

9 3. The pretrial conference scheduled for September 4, 2012 is CONTINUED to
10 January 22, 2013 at 1:00 p.m.

11 4. The five to eight day jury trial scheduled for September 10, 2012 is
12 CONTINUED to February 11, 2013 at 8:30 a.m.

13 5. The parties shall not file any additional pretrial documents without prior leave
14 of Court. Any documents filed without leave of Court may be stricken from the record.

15 6. This matter is referred to Magistrate Judge Elizabeth Laporte for a further,
16 mandatory settlement conference to take place in December 2012 or January 2013.

17 7. All other dates and deadlines set forth in the Order for Pretrial Preparation,
18 Dkt. 71, shall remain unchanged.

19 IT IS SO ORDERED.

20 Dated: August 29, 2012


SAUNDRA BROWN ARMSTRONG
United States District Judge